



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

*Examiner:* Daniel Pihulic  
(703) 306-4168 (ph), (703) 872-9326 (fax: non-final response)  
*Inventors:* Daniel J. Magine and Kevin D. Kaschke  
*Docket No.:* DJM0001 *Priority Date:* None  
*Appln. No.:* 09/862,914 *Group Art Unit:* 3662  
*Filing Date:* May 22, 2001  
*Entitled:* Underwater Alert System

Daniel J. Magine  
2217 West Palatine Road  
Inverness, Illinois 60067

October 21, 2002

**Letter to the Official Draftsperson**  
**Correction to Drawings – 37 CFR 1.85**

Honorable Assistant Commissioner of Patents  
Washington, D.C. 20231

Dear Draftsperson:

1. Responsive to the first office action dated July 5, 2002 for the above-identified patent application, the applicants hereby submit the present amendment for review by the official draftsman.
2. The Applicant amended FIGs. 5 and 11 to provide proper correspondence between the RX Amplifier 108 and the Receiver (RX) 128, as referred to in the specification, and as shown in FIGs. 5 and 11. In particular, in FIGs. 5 and 11, the description of the block labeled 108 is changed from "Receiver RX" as shown in yellow to "RX Amplifier" as shown in red and the description of the block labeled 128 is changed from "RX Amplifier" as shown in yellow to "Receiver (RX)" as shown in red.
3. No new matter has been entered into the drawings.

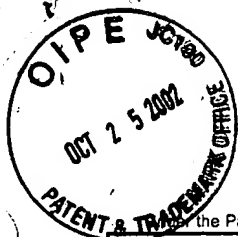
9  
Ltr to  
Draftsman  
Bates  
11/8/02

4. Amended FIGs. 5 and 11 are being filed within the three month shortened statutory period set for reply in the present Office Communication dated July 5, 2002, including a petition for a one month extension of time.

5. Any inquiry related to this response should be communicated to Daniel J. Magine at the address and phone number presently on file with the USPTO.

Respectfully submitted,  
Daniel J. Magine, et al.

By: Kevin D. Kaschke  
Kevin D. Kaschke  
Patent Attorney  
Reg. No.: 35,767



PTO/SB92 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Assistant Commissioner for Patents  
Washington, D.C. 20231

on October 22, 2002

Date

Kevin D. Kaschke

Signature

Kevin D. KASCHKE

Typed or printed name of person of signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Power of Attorney (1pg), Copy of Assignment (3pgs), Postcard (1pg)  
Fee Transmittal - 1pg, Fee - check, Transmittal Form (1pg),  
Original Fee Transmittal (1pg), Petition for Extension of Time - w/copy 1pg.  
Statement under 37 CFR 3.73 (b) (1pg), Amendment/Reply (3pgs.)  
Draftsperson Letter w/ amended FIGS. 9 & 11 (4pgs.), This Certificate (1pg)  
marked up specification & claims (94pgs)  
Clean specification & claims (92pgs.) Total Pages = 206

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36628

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PTO/SB/21 (08-00)  
Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
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<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	09/862,914	
	Filing Date	May 22, 2001	
	First Named Inventor	Magine, et al.	
	Group Art Unit	3662	
	Examiner Name	D. Pihulic	
Total Number of Pages in This Submission	206	Attorney Docket Number	DJM 0001

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form (1 pg.)	<input checked="" type="checkbox"/> Assignment Papers (for an Application) (copy 3pgs)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached (check) 1pg	<input checked="" type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Reply (3pgs.)	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request (1 pg.) w/copy	<input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address (1 pg)	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	Statement under 37 CFR 3.73(b) (1 pg.) Certificate of Mailing (1 pg), This transmittal (1pg) Letter to Draftsperson w/ FIGS. (4pgs) marked up spec & claims (94pgs) postcard (1pg) clean spec & claims (92pgs), Orig. Fee Trans (1pg)	

GROUP 3600

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OCT 3 0 2002

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	KEVIN D. KASCHKE
Signature	Kevin D. Kaschke
Date	Oct 26th 22, 2002

CERTIFICATE OF MAILING		
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: 10-22-2002		
Typed or printed name	KEVIN D. KASCHKE	
Signature	Kevin D. Kaschke	Date
		Oct. 22, 2002

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**FEE TRANSMITTAL  
for FY 2000**

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$ 1,117.00

**Complete if Known**

Application Number

Unknown

Filing Date

Herewith

First Named Inventor

Daniel J. Magine, et al.

Examiner Name

Unknown

Group/Art Unit

Unknown

Attorney Docket No.

DJM0001

**METHOD OF PAYMENT (check one)**

- 1.
- ☐
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit  
Account  
NumberDeposit  
Account  
Name☐ Charge Any Additional Fee Required  
Under 37 CFR 1.16 and 1.17

- 2.
- ☒
- Payment Enclosed:



Check

Money  
Order

Other

**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	355
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	
SUBTOTAL (1)					(\$ 355.00

**2. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from Below	Fee Paid
78	-20**= 58	9	= 522
7	-3**= 5	40	= 200
Multiple Dependent		0	= 0

\*\*or number previously paid, if greater; For Reissues, see below

Large Entity Fee Code	Entity Fee (\$)	Small Entity Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	240	126	240	Submission of information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	40.00
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	

Other fee (specify) \_\_\_\_\_

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 40.00

**SUBMITTED BY**

Name (Print/Type)

Daniel J. Magine

Registration No.  
(Attorney/Agent)**Complete (if applicable)**

Telephone

847-776-9466

Signature

*Daniel J. Magine*

Date

5-22-01



PATENT APPLICATION FEE DETERMINATION RECORD

Application or Docket Number

09/862,914

CLAIMS AS FILED - PART I

(Column 1)

(Column 2)

SMALL ENTITY

OR

OTHER THAN  
SMALL ENTITY

FOR	NUMBER FILED	NUMBER EXTRA
BASIC FEE (37 CFR 1.16(a))		
TOTAL CLAIMS (37 CFR 1.16(c))	78 minus 20 =	* 58
INDEPENDENT CLAIMS (37 CFR 1.16(b))	7 minus 3 =	* 4
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(d))		0

RATE	FEE
	\$ 355
x \$ 9 =	522
x 40 =	160
+ 0 =	1,037
TOTAL	1,037

RATE	FEE
	\$
x \$ =	
x =	
+ =	
TOTAL	

\* If the difference in column 1 is less than zero, enter "0" in column 2

CLAIMS AS AMENDED - PART II

(Column 1)

(Column 2)

(Column 3)

SMALL ENTITY

OR

OTHER THAN  
SMALL ENTITY

AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total (37 CFR 1.16(c))	* 182 Minus	** 78	= 104
Independent (37 CFR 1.16(b))	* 16 Minus	*** 8*	= 8
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))			

RATE	ADDI-TIONAL FEE
x \$ 9 =	936
x 42 =	336
+ 0 =	0
TOTAL	1,272

RATE	ADDI-TIONAL FEE
x \$ =	
x =	
+ =	
TOTAL	

AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total (37 CFR 1.16(c))	* Minus	**	=
Independent (37 CFR 1.16(b))	* Minus	***	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))			

RATE	ADDI-TIONAL FEE
x \$ =	
x =	
+ =	
TOTAL	

RATE	ADDI-TIONAL FEE
x \$ =	
x =	
+ =	
TOTAL	

AMENDMENT C	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total (37 CFR 1.16(c))	* Minus	**	=
Independent (37 CFR 1.16(b))	* Minus	***	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))			

RATE	ADDI-TIONAL FEE
x \$ =	
x =	
+ =	
TOTAL	

RATE	ADDI-TIONAL FEE
x \$ =	
x =	
+ =	
TOTAL	

\* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".

\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

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Note: Applicant mistakenly paid for 1 extra indep. claim on filing.  
See error in Fee Trans. that is attached

GROUP 3600

OCT 30 2002

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